

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**SB 2773 - HB 3218**

February 7, 2012

**SUMMARY OF BILL:** Requires a person convicted of reckless driving or reckless endangerment as the result of a plea agreement where the original charge was driving under the influence (DUI) to be fined the same as if convicted of the original DUI charge. Requires fine revenue be distributed in the same manner as a DUI.

**ESTIMATED FISCAL IMPACT:**

**Decrease State Revenue – \$282,000**

**Increase Local Revenue – \$563,900**

**Assumptions:**

- According to the Department of Safety (DOS), there were 5,639 reckless driving and 822 reckless endangerment misdemeanor convictions posted to driver records. It is estimated that 25 percent of these convictions originated as DUI charges.
- The average fine for reckless driving collected by the state is \$250. The average fine for DUI is \$500.
- A 20 percent indigent rate.
- The state receives fine revenue for reckless driving charges. The county of conviction receives DUI fine revenue.
- A recurring decrease in state revenue of \$281,950 ( $5,639 \times 25\% \times \$250 \times 80\%$ ).
- A recurring increase in local government revenue of \$563,900 ( $5,639 \times 25\% \times \$500 \times 80\%$ ).
- The Department of Safety does not collect fines from reckless endangerment. Reckless endangerment is a Class A misdemeanor punishable by a fine of up to \$2,500. The fine for first time conviction of DUI is between \$350 and \$1,500. Any change in fine revenue to local governments for reckless endangerment reduced from a DUI will be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

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